

REMARKS/ARGUMENTS

This amendment is respectfully submitted in response to the Office Action dated September 30, 2003.

**I. Introduction**

Claims 1-3, 16, 17 and 21 have been amended. Claims 23-29 have been canceled. Accordingly, claims 1-22 are now pending.

In the Office Action the Examiner rejected original claims 1-5, 7, 9-18, 20, 21, and 23-29 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,884,032 to Bateman et al. The Examiner rejected the remaining claims as being unpatentable under 35 U.S.C. §103(a) in view of the Bateman et al. patent.

Accordingly, the sole reference used in the Office Action to reject the original claims was the Bateman et al. patent. As will be discussed below, the Bateman et al. patent does not anticipate or render obvious any of the pending claims.

**II. The Present Invention**

In contrast to other systems, in some embodiments of the present invention, **customer service representative telephone number information is included in a Web page.** **This telephone number information is combined, in various embodiments, by a customer's computer with a customer's telephone number, to generate a call initiation message.**

This action by the user's computer may be in response to the customer selecting a call initiation button on a Web page including the telephone information corresponding to at least one customer service representative. The generated call initiation message is transmitted, e.g., from the customer's computer to telephone equipment capable of initiating and bridging calls. Since the customer's computer supplies both the customer telephone number, and a telephone number corresponding to at least one customer service representative, there is no need for a business to provide a special server or other device to supply customer agent telephone number information directly to the telephone equipment used to initiate calls to the customer and representative.

From an E-business perspective, the above method has the advantage of an implementation where an E-business site need not directly interact with the telephone equipment site to initiate a call since all the information required to establish a telephone session between a customer and customer service representative is included in the call initiation message sent by the customer's computer.

In the above manner, the methods and apparatus of the present invention can be used to facilitate E-business transactions, reduce or eliminate the need for E-businesses to make substantial investments in telephone equipment and, at the same time, provide a customer service representative greater opportunities to work from home.

**II. The Bateman et al. Patent Fails to Teach,  
Disclose or Suggest the Claimed Subject Matter**

The Bateman et al. patent fails to teach, disclose or suggest a call initiation message from a customer's computer that includes both a customer telephone number and a telephone number corresponding to at least one customer service representative. In fact, in the various embodiments described in the Bateman et al. patent there **is NO need for such a message including both telephone numbers** since either a special server which can store customer service agent contact information is used, **avoiding** the need for the customer's equipment to generate a call initiation message **including the customer agent telephone number**, or the customer's device is used to dial a telephone number corresponding to a customer agent thereby **avoiding** the need for a message **including the customer's telephone number**.

The Bateman et al. patent describes a customer contact channel changer that enables the integration of different customer contact channels such as live call center ACD agents and World Wide Web (WWW) servers. Various embodiments are described in the Bateman et al. patent. In one embodiment illustrated in Fig. 7 which uses the system shown in Fig. 6, a customer viewing product information can select a "make call" feature on the screen (see block 7-2). The "make call" selection by the customer, initiates a series of steps to set up a call to either an ACD group or an individual which ultimately results in the customer being called and the customer's phone ringing as shown in box 7-3. (See col. 8, lines 46-61) Notably, this implementation **involves**

the use of server(s) 109 in the network as shown in Fig. 6 to initiate the call. This is clear from a review of box 7-3 in Fig. 7 which states "BEACON CTI SETS UP CALL TO SUBSCRIBER'S PHONE." The call to the ACD system in step 7-4 follows the triggering of the call the subscriber by the Beacon CTI 109 which is used to control the telephone switch 116. Thus, in the Fig 6 and 7 embodiments, a special server (Beacon CTI) in the network is relied upon to control call initiation in response to the user selecting the make call feature. There is no indication or suggestion of using a single call initiation message, from the customer's computer, including both a customer telephone number and a telephone number corresponding to at least one customer representative to initiate the call process in any portion of the discussion of the Fig. 6 and 7 embodiments.

With regard to Fig. 9 , the Bateman patent describes a system where the customer's computer initiates a call to the ACD system using information obtained form a company's server. This approach, while avoiding the need for the business to support call initiation capability requires the customer's system to actually perform the dialing operation. Since the customer's equipment in the Fig. 9 embodiment is responsible for dialing, there is clearly no need for a message including the customer's telephone number and a telephone number corresponding to at least one customer service representative.

### **III. The Pending Claims Are Patentable**

The claims have been amended to focus on the call initiation message feature of the present, e.g., where a customer's computer generates a novel call initiation message including a telephone number corresponding to said user and a telephone number corresponding to at least one customer service representative or where such a message is received and used.

As discussed above, such a message is not described in the Bateman et al. patent and none of the embodiments in the Bateman et al. patent require such a message which includes two phone numbers.

In rejecting various claims under §102 the Examiner relies on an inherency argument stating:

Furthermore, in one embodiment, Bateman et al. teach that a call is made to both the customer's telephone line AND to the call center agent. **Therefore, it is inherent that both telephone numbers of the customer and the agent must be transmitted so a call may be bridged between the two parties.** (Col. 8, lines 42-61) (See Office Action page 2, bold added for emphasis)

While it is true that the telephone device which makes and bridges the calls to both the customer and the ACD system needs two phone numbers, there is no need that the two phone numbers come from the customer's premises in call initiation message. In fact, in the Col. 8, lines 42-62 portion of the patent cited by the

Examiner reference is made to box 7-3 of Fig. 7 which indicates that the BEACON CTI which is a network server sets up the call. Applicants respectfully submit given the involvement of the BEACON CTI server in the call initiation process, there is no need for the customer's computer to supply the telephone number of the ACD system since it could be supplied by the BEACON Server 109 used to set-up the call. Accordingly, while two telephone numbers may be used to initiate calls, e.g., one to the customer and one to the ACD system, there is no need or inherent requirement that they come from the customer's computer system.

1. Claim 1 and claims 2-15 Are patentable

Claim 1, as amended, is patentable because it recites:

A method of providing customer service to a user of the Internet, the method comprising the steps of:

*receiving a message, originating from a computer located at a user premise, over the Internet representing a request for a call from a customer service representative, said message including a telephone number corresponding to said user and a telephone number corresponding to at least one customer service representative;*  
and

*operating, in response to said received message, calling equipment to establish a call between said user and a customer service representative.*

Claims 2-15 depend from claim 1 and are patentable for the same reasons claim 1 is patentable.

**2. Claim 16 and claims 17-20 Are patentable**

Claim 16 is patentable because, as amended, it recites:

A method of using a computer coupled to the Internet, the method comprising:

operating the computer to retrieve from the Internet a web page including a button which can be activated by a user of the computer to request a call from a customer service representative;

operating the computer to display said web page to said user;

operating the computer to detect activation of said button by the user; and in response to activation of said button,

**i. generating a call request message, said call request message including a first telephone number corresponding to said user and a second telephone number corresponding to at least one customer service representative; and**

**ii. transmitting the call request message over the Internet.**

Claims 17-20 depend from claim 16 and are patentable for the same reasons claim 16 is patentable.

**3. Claim 21 and claim 22 Are patentable**

Claim 21 is patentable because, as amended, it recites:

A method of operating telephone equipment, the method comprising the steps of:

receiving from a computer system located at a customer premise, a message transmitted using TCP/IP including call set-up information, the set-up information including a telephone number of a customer

and a telephone number of a customer service representative,

operating the telephone equipment to establish a first call with the customer;

operating the telephone equipment to establish a second call with the customer service representative; and

**bridging the first and second calls.**

Claim 22 depends from claim 21 and is patentable for the same reasons claim 21 is patentable.

#### **IV. Request For Clarification**

If the Examiner persists in the rejection of any of the pending claims it is respectfully requested that the Examiner identify where in the Bateman et al. patent a call initiation message from a customer's computer, which includes both a telephone number corresponding to the customer and a telephone number corresponding to at least one customer service representative is described.

If the Examiner relies on an inherency argument with regard to the Fig. 7 embodiment described in col. 8, Applicants respectfully request that the Examiner explain why the telephone number corresponding to the ACD system **could not have come from the BEACON CTI servers/systems 109 involved in the call initiation process of box 7-3 referenced in Col. 8.**

If the Examiner relies on any of the embodiments where the customer's computer system performs the dialing operation, such as in the Fig. 9 embodiment, it is requested that the Examiner explain what **call initiation message includes the customer's telephone number.**

V. Conclusion

As amended, none of the pending claims are anticipated or rendered obvious by the prior art of record. In view of the foregoing amendments and remarks, the applicants respectfully submit that the pending claims are in condition for allowance. Accordingly, the applicants request that the Examiner pass this application to issue.

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CERTIFICATE OF MAILING under 37 C.F.R. 1.8(a)

I hereby certify that this correspondence is being deposited on **November 21, 2003** with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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